

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SHANISE SHIDAGIS,

Plaintiff,

v.

3:22-CV-1299
(GTS/ML)

BROOME COUNTY DEP'T OF SOCIAL SERVICES,

Defendant.

APPEARANCES:

SHANISE SHIDAGIS

Plaintiff, *Pro Se*

900 Vestal Parkway East

Vestal, New York 13850

GLENN T. SUDDABY, United States District Judge

DECISION and ORDER

Currently before the Court, in this *pro se* civil rights action filed by Shanise Shidagis (“Plaintiff”) against the Broome County Department of Social Services (“Defendant”), is United States Magistrate Judge Miroslav Lovric’s Report-Recommendation recommending that Plaintiff’s Complaint be dismissed without prejudice but without leave to replead because this Court lacks subject-matter jurisdiction over it. (Dkt. No. 4.) Plaintiff has not filed an Objection to the Report-Recommendation, and the deadline in which to do so has expired. (*See generally* Docket Sheet.)

After carefully reviewing the relevant filings in this action, the Court finds no clear error in the Report-Recommendation:¹ Magistrate Judge Lovric employed the proper standards,

¹ When no objection is made to a report-recommendation, the Court subjects that report-recommendation to only a clear error review. Fed. R. Civ. P. 72(b), Advisory Committee

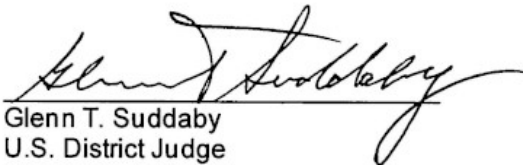
accurately recited the facts, and reasonably applied the law to those facts. As a result, the Court accepts and adopts the Report-Recommendation for the reasons stated therein, and Plaintiff's Complaint is dismissed without prejudice (and without prior leave to amend) for lack of subject-matter jurisdiction.

ACCORDINGLY, it is

ORDERED that Magistrate Judge Lovric's Report-Recommendation (Dkt. No. 4) is **ACCEPTED** and **ADOPTED**; and it is further

ORDERED that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED** without prejudice for lack of subject-matter jurisdiction.

Dated: February 27, 2023
Syracuse, New York


Glenn T. Suddaby
U.S. District Judge

Notes: 1983 Addition. When performing such a clear error review, “the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Id.*; see also *Batista v. Walker*, 94-CV-2826, 1995 WL 453299, at *1 (S.D.N.Y. July 31, 1995) (Sotomayor, J.) (“I am permitted to adopt those sections of [a magistrate judge’s] report to which no specific objection is made, so long as those sections are not facially erroneous.”) (internal quotation marks omitted).